

REMARKS/ARGUMENTS

Interview Summary (37 CFR § 1.133(b)):

Applicant thanks Examiner Azpura for the courtesies extended in the telephonic interview with the undersigned attorney on March 24, 2004. Claims 85-86, 95, 98, 106, 109, 120, 129, and 130 were discussed with respect to U.S.P.T.O. rejection of said claims under 102(a) as being anticipated by U.S. Patent No. 6,056,715 ('715). Amendment of the claims to delete reference to "growth hormone" was discussed. The general thrust of the principal argument of the Applicant was that the '715 patent neither discloses nor suggests the remaining recitations of "a low molecular weight heparin" or "a dopamine receptor agonist". Agreement with the U.S.P.T.O. on allowable subject matter was not reached.

Remarks on Amendment of Claims:

Claims 1-84, 86, 93, 98 103-104, 109, 114-115, 120, 127, 130 and 137 have been canceled. Claims 85, 87-92, 94-97, 99-102, 105-108, 110-113, 116-119, 121-126, 128-129, 131-136 and 138 remain pending in the application.

Claims 85-116 and 120-138 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 2-7, 10-16, 18-23 and 25-30 of copending Application No. 09/606,909. Inasmuch as neither of the cited patent applications has issued, Applicant requests that these provisional rejections be deferred at this time.

Claims 85-92-, 94-102, 105-113, 119-136, and 138 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-35 and 44-77 of copending Application No. 10/443,361. Inasmuch as neither of the cited patent applications has issued, Applicant requests that these provisional rejections be deferred at this time.

Reconsideration of the rejection of Claims 85-86, 95, 106, 109, 119, 120, 129 and 130 under 35 U.S.C. 102(e) over U.S. Patent No. 6,056,716 to D'Antonio et al. ('716) is requested in view of the amendment of the claims to delete the recitation of "growth hormone". Applicant submits that the '716 patent neither discloses nor suggests "a low

molecular weight heparin" or "a dopamine receptor agonist" as recited in the claims.

Withdrawal of the rejection is, therefore, requested.

The claims are amended herein without prejudice or disclaimer and solely for the purpose of advancing the prosecution of the case. Applicant reserves the right to prosecute the subject matter of the claims as originally filed or as submitted during prosecution or of a broader scope than originally filed in one or more continuation applications.

It is believed that the claims are in a condition for allowance and such favorable action is requested. Should any questions arise, the U.S.P.T.O. is requested to contact the undersigned attorney.

Respectfully submitted,



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